

Small Disadvantaged Business Utilization. Mentor-Protege performance will be evaluated under Small Disadvantaged Business Utilization as a separate element and allocated a separate 5 percent of the 15 percent award fee. For purposes of earning award fee, the Mentor firm's performance shall be evaluated to determine the degree to which the participation went beyond (exceeded) the negotiated SDB goals commitment. Specifically, the Mentor firm's performance will be evaluated against the criteria described in the NASA FAR Supplement provision at 1852.219-79.

1819.7207 Measurement of program success.

The overall success of the NASA Mentor-Protege program encompassing all participating Mentors and proteges will be measured by the extent to which it results in:

(a) An increase in the number, dollar value and percentage of subcontracts awarded to proteges by mentor firms under NASA contracts since the date of entry into the program;

(b) An increase in the number and dollar value of contract and subcontract awards to protege firms since the time of their entry into the program (under NASA contracts, contracts awarded by other Federal agencies and under commercial contracts);

(c) An increase in the number and dollar value of subcontracts awarded to a protege firm by its mentor firm; and

(d) An increase in subcontracting with protege firms in industry categories where they have not traditionally participated within the mentor firm's activity.

1819.7208 Mentor firms.

(a) *Eligibility.*

(1) Contractors eligible for receipt of government contracts;

(2) Large prime contractors performing under contracts with at least one negotiated subcontracting plan as required by 48 CFR (FAR) 19.7; and

(3) Small Business prime contractors that can provide developmental assistance to enhance the capabilities of proteges to perform as subcontractors and suppliers. A small business prime contractor performing under a NASA con-

tract that does not contain a negotiated subcontracting plan may apply.

(b) Mentors will be encouraged to identify and select:

(1) A broad base of firms including those defined as emerging firms (e.g., a protege whose size is no greater than 50 percent of the size standard applicable to the SIC code assigned to a contracting opportunity); and

(2) Proteges *in addition* to firms with whom they have established business relationships.

(3) High-Tech firms as proteges.

1819.7209 Protege firms.

(a) For selection as a protege, a firm must be:

(1) An SDB, HBCU or MI as those terms are defined in 1891.7202;

(2) Certified as small in the SIC code for the services or supplies to be provided by the protege under its subcontract to the mentor; and

(3) Eligible for receipt of government contracts.

(b) A protege firm may self-certify to a mentor firm that it meets the requirements set forth in paragraph (a) of this section. Mentor may rely in good faith on written representations by potential proteges that they meet the specified eligibility requirements.

(c) Proteges may have multiple mentors. Proteges participating in mentor-protege programs in addition to the NASA program should maintain a system for preparing separate reports of mentoring activity for each agency's program.

1819.7210 Selection of protege firms.

(a) Mentor firms will be solely responsible for selecting protege firms. The mentor is encouraged to identify and select the types of protege firms listed in 1819.7208(b).

(b) Mentor firms may have more than one protege.

(c) The selection of protege firms by mentor firms may not be protested, except as in paragraph (d) of this section.

(d) Any protest regarding the size or eligibility status of an entity selected by a mentor to be a protege shall be referred solely to the Associate Administrator, Office of Small and Disadvantaged Business Utilization (OSDBU), NASA for resolution. In its discretion,

NASA may seek an advisory opinion from the Small Business Administration.

1819.7211 Application process for mentor firms to participate in the program.

(a) Prime contractors interested in becoming a mentor firm must submit a request to the NASA OSDBU to be approved under the program. The application will be evaluated on the extent to which the company plans to provide developmental assistance. The information required in paragraph (b) of this section must be submitted to be considered for approval as a mentor firm.

(b) A proposed mentor must submit the following information to the NASA OSDBU:

(1) Certification that the mentor firm is currently performing under at least one active approved subcontracting plan (small business exempted) and that they are eligible, as of the date of application, for the award of Federal contracts;

(2) The cognizant NASA contract number(s), type of contract, period of performance (including options), title of technical program effort, name of NASA Program Manager (including contact information) and name of NASA field center where support is provided;

(3) The number of proposed Mentor-Protege arrangements;

(4) Data on all current NASA contracts and subcontracts to include the contract/subcontract number(s), period of performance, awarding NASA installation or contractor and contract/subcontract value(s) including options;

(5) Data on total number and dollar amount of subcontracts awarded under NASA prime contracts within the past 2 years and the number of dollar value of such subcontracts awarded to entities defined as proteges.

(6) Information on the proposed types of developmental assistance. For each proposed Mentor-Protege relationship include information on the company's ability to provide developmental assistance to the identified protege firm and how that assistance will potentially increase subcontracting opportunities for the protege firm, including subcontracting opportunities in indus-

try categories where these entities are not dominant in the company's current subcontractor base; and

(7) A Letter of Intent signed by both parties. At a minimum, the Letter of Intent must include the stated commitment that the parties intend to enter into a mentor-protege agreement under the NASA program, that they intend to cooperate in the developmental of a suitable development assistance program to meet their respective needs, and that they agree to comply with the obligations in section 1819.7215 and all other provisions governing the program.

1819.7212 OSDBU review and approval process of agreement.

(a) The information specified in 1819.7211(b) is reviewed by NASA OSDBU. The review by the NASA OSDBU will be completed no later than 30 days after receipt by the OSDBU. NASA OSDBU will provide a copy of the submitted information to the cognizant NASA technical program manager and contracting officer for a parallel review and concurrence.

(b) If OSDBU approves the application, then the mentor

(1) Negotiates agreement with the protege; and

(2) Submits an original and two (2) copies of the agreement to NASA OSDBU for approval by the NASA Mentor-Protege program manager, the NASA technical program manager and the contracting officer.

(c) Upon agreement approval, the mentor may implement developmental assistance program.

(d) An approved agreement will be incorporated into the mentor's contract with NASA. It should be added to the subcontracting plan in contracts which contain such a plan.

(e) If OSDBU disapproves the application, then the mentor may provide additional information for reconsideration. The review of any supplemental material will be completed within 30 days after receipt by the OSDBU. Upon finding deficiencies that NASA considers correctable, the OSDBU will notify the mentor and request information to be provided within 30 days that may correct the deficiencies.